

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5357 of 1986

Date of decision: 13-01-1997

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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Versus

CHAIRMAN

Appearance:

MR D.V. Mehta for Petitioner
Ms. M. M. Dave for Respondent No. 1
MR Samir Dave for Respondent No. 3
None present for other respondents.

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 13/01/97

ORAL JUDGEMENT

The petitioners in this petition have prayed for

quashing and setting aside the election programme and further direction to respondent authorities to prepare the voters' list afresh and to follow the schedule as laid down in the election procedure rule, and to hold the election in accordance with law. The matter pertains to election to the Gujarat Secondary Education Board from the constituency of the parents' association of registered private secondary school from amongst themselves. The grievance of the petitioner was that there are several infirmities in the constituency of the parents' association of registered private secondary schools. The counsel for the respondent No.1 has produced on record of this petition the notifications dated 1-10-1996 under which constitution of the aforesaid constituency has been changed. She made statement that in view of this subsequent development this special civil application has become infructuous. The counsel for the petitioner is unable to controvert the statement made by the counsel for respondent No.1.

2. I have gone through the notification dated 1-10-1996 under which constituency 'KH' has been constituted and against this notification the petitioner has not made any grievance. The aforesaid notification is taken on record of this case. In view of the said notification the special civil application has become infructuous. Hence the petition is dismissed as having become infructuous. Rule discharged. Ad interim relief granted earlier stands vacated.

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